



**CITY OF CORNING  
PLANNING COMMISSION AGENDA  
TUESDAY, SEPTEMBER 15, 2015  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

**Commissioners: Barron  
Poisson  
Mesker  
Hatley  
Chairman: Robertson**

**C. MINUTES:**

**1. Waive the reading and approve the Minutes of the August 18, 2015 meeting with any necessary corrections:**

**D. BUSINESS FROM THE FLOOR: If there is anyone in the audience wishing to speak on items not already set on the Agenda, please come to the podium, and briefly identify the matter you wish to have placed on the Agenda. The Commission will then determine if such matter will be placed on the Agenda for this meeting, scheduled for a subsequent meeting, or recommend other appropriate action. If the matter is placed on tonight's Agenda, you will have the opportunity later in the meeting to return to the podium to discuss the issue. The law prohibits the Commission from taking formal action on the issue, however unless it is placed on the Agenda for a later meeting so that interested members of the public will have a chance to appear and speak on the subject.**

**E. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

**2. Use Permit Application 2015-277; Catalina Ortiz: Establish a tattoo business (Parlor) that will also offer piercing services and clothing for sale in the east suite of an existing building located along the south side of Solano Street approximately 400 feet west of the Solano Street/Toomes Avenue Intersection. APN: 71-140-07, address: 2069 Solano Street.**

**F. REGULAR AGENDA: All items listed below are in the order which we believe are of most interest to the public at this meeting. However, if anyone in the audience wishes to have the order of the Agenda changed, please come to the podium, and explain the reason you are asking for the order of the Agenda to be changed.**

**G. ITEMS PLACED ON THE AGENDA FROM THE FLOOR:**

**H. ADJOURNMENT:**

**POSTED: FRIDAY, SEPTEMBER 11, 2015**



**CITY OF CORNING  
PLANNING COMMISSION MINUTES**

**TUESDAY, AUGUST 18, 2015  
CITY COUNCIL CHAMBERS  
794 THIRD STREET  
CORNING, CA 96021**

**A. CALL TO ORDER: 6:30 p.m.**

**B. ROLL CALL:**

**Commissioners: Barron  
Poisson  
Mesker  
Hatley**

**Chairman: Robertson**

All members of the Commission were present except Chairperson Robertson and Commissioner Barron.

**C. MINUTES:**

**1. Waive the reading and approve the Minutes of the July 21, 2015 meeting with any necessary corrections:**

Commissioner Mesker moved to approve the Minutes of the July 21, 2015 meeting as written and Commissioner Hatley seconded the motion. **Ayes: Poisson, Mesker and Hatley. Absent: Robertson and Barron. Oppose/Abstain: None. Motion was approved by a 3-0 vote with Robertson and Barron Absent.**

**D. INTRODUCTIONS:**

**2. Introduction of new Planning Commissioner Douglas Hatley Jr.**

City Clerk Lisa Linnet introduced new Planning Commission Doug Hatley. She announced that Mr. Hatley was a former Planning Commissioner from June 2007 to July 2011.

**E. BUSINESS FROM THE FLOOR: None**

**F. PUBLIC HEARINGS AND MEETINGS: Any person may speak on items scheduled for hearing at the time the Chairman declares the Hearing open. ALL LEGAL NOTICES PUBLISHED IN ACCORDANCE WITH LAW.**

**3. Planning Commission consider recommendation to the City Council to adopt and certify the Draft Environmental Impact Report (DEIR) – SCH#2015052037, as a Final EIR (FEIR) prepared for the 2014-2034 City of Corning General Plan Update, and additionally, consider a recommendation to the City Council to consider for adoption General Plan Amendment 2015-01, the 2014-2034 City of Corning General Plan Update.**

Acting Chairperson Poisson opened the Public Hearing at 6:31 p.m. and Planning Consultant John Stoufer announced that the Commissioners are no longer acting in the capacity of a Task Force, but are now acting as the Planning Commission stating that the Commissioners, in their role as a "Task Force" have concluded their duties. He then stated that the City had received 3 responses (1 from the State Dept. of Fish & Game; 1 from Tehama County Public Works & Transportation Commission; and 1 from the Tehama County Cooperative Fire Protection – Fire Protection Planning Bureau) in addition to the letter from the State acknowledging that the City had complied with the State Clearinghouse review requirements for draft environmental documents pursuant to CEQA.. He then turned the meeting over to Consultant Ehinard Diaz who informed the Commission of the memorial dedication to former Commissioner Ryan Reilly that will be on the front of the document. Mr. Diaz then emphasized some additional corrections, additions and comments that will be included in the final document. By consensus of the Commissioners present, they would like the final document in a binder.

Planning Consultant Stoufer thanked Mr. Diaz for all of his hard work. He also stated that the final presentation will be made to the City Council for approval at the September 8<sup>th</sup> City Council Meeting and hoped that each of the Commissioners would be able to attend.

Commissioner Mesker moved to recommend that the City Council adopt and certify the Draft Environmental Impact Report, SCH#2015052037, with the response to comments included as a Final Environmental Impact Report in compliance with the California Environmental Quality Act and its Guidelines. Commissioner Hatley seconded the motion. **Ayes: Poisson, Mesker and Hatley. Absent: Robertson and Barron. Oppose/Abstain: None. Motion was approved by a 3-0 vote with Robertson and Barron Absent.**

Commissioner Hatley then moved to recommend that the City Council approve General Plan Amendment 2015-01 and adopt the 2014-2034 City of Corning General Plan Update. Commissioner Mesker seconded the motion. **Ayes: Poisson, Mesker and Hatley. Absent: Robertson and Barron. Oppose/Abstain: None. Motion was approved by a 3-0 vote with Robertson and Barron Absent.**

Acting Chairperson Commissioner Poisson then closed the Public Hearing at 6:52 p.m.

**G. REGULAR AGENDA: None.**

**H. ITEMS PLACED ON THE AGENDA FROM THE FLOOR: None.**

**I. ADJOURNMENT: 6:53 p.m.**

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**Lisa M. Linnet, City Clerk**

**ITEM NO: E-2  
USE PERMIT APPLICATION 2015-277;  
CATALINA ORTIZ; ESTABLISH A TATTOO  
BUSINESS (PARLOR) THAT WILL ALSO  
OFFER PIERCING SERVICES AND  
CLOTHES FOR SALE IN THE EAST SUITE  
OF AN EXISTING BUILDING LOCATED  
ALONG THE SOUTH SIDE OF SOLANO ST.,  
APPROXIMATELY 400 FEET WEST OF THE  
SOLANO ST./TOOMES AVE.  
INTERSECTION. APN: 71-140-07  
ADDRESS 2069 SOLANO ST.**

**SEPTEMBER 15, 2015**

**TO: PLANNING COMMISSIONERS OF THE CITY OF CORNING**

**FROM: JOHN STOUFER; PLANNING DIRECTOR**

**PROJECT DESCRIPTION:**

Establish a tattoo parlor that will also offer piercing services and clothes for sale. The site proposed for the establishment of the tattoo business is zoned C-3, General Business District. Pursuant to Section 17.54.020 (9) of the Corning Municipal Code, a tattoo business (parlor) in this zoning district shall only be permitted upon the securing of a conditional use permit.

This project will allow the establishment of a tattoo parlor in the same suite that the Planning Commission had previously granted a Use Permit (UP 2009-258) for the establishment of a tattoo parlor known as Sweet Seduction Tattoo that did establish at this site but has not been in operation for more than 1 year so the applicant must apply for a new Use Permit.

The business will be operated by Catalina Ortiz in the eastern suite an existing building located in front of the Java Lanes Bowling Alley along the south side of Solano Street, approximately 400 feet west of the Solano St. / Toomes Ave. intersection.

Address: 2069 Solano St. APN: 71-140-07

**GENERAL PLAN LAND USE DESIGNATION**

C – Commercial – This classification includes all commercial uses of land as permitted in the City's zoning ordinance. These include zoning districts C-1, C-2, C-3, C-3-P, CD, and CH zoning districts.

**ZONING**

C-3 – General Commercial District –This district is intended to be applied where general commercial facilities are necessary for public service and convenience.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

Section 21084 of the Public Resources Code requires a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. The Secretary of Resources has classified projects that do not have a significant effect on the environment and are declared to be categorically exempt from the requirement for the preparation of environmental documents.

CEQA, Section 15301, Existing Facilities, Class 1 provides exemptions for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The key consideration is whether the project involves negligible or no expansion of an existing use.

This project will allow the establishment of a tattoo parlor in the same suite that the Planning Commission had previously granted a Use Permit (UP 2009-258) for the establishment of a tattoo parlor known as Sweet Seduction Tattoo that was established at this site. Additional commercial use of a building for piercing and clothes sales is considered a negligible expansion of the previous commercial use and exempt from CEQA pursuant to Section 15301, Class 1.

## **PARKING**

Chapter 17.51 of the City of Corning Zoning Code establishes off-street parking requirements and states: "The purpose of this chapter is to provide reasonable requirements for off-street parking in order to expedite traffic movement, lessen street congestion, improve traffic and pedestrian safety, and to provide for the public health, safety and general welfare."

"The off-street parking requirements contained in this chapter apply to the particular use made of a lot, building or structure and not to a particular zoning classification."

This chapter does establish parking requirements for barber and beauty shops but does not specifically establish parking requirements for a tattoo business. Pursuant to Section 17.51.160 of the CMC the Planning Commission has the ability to apply parking requirements for uses not specified in Chapter 17.51. Staff feels that a tattoo business would be similar to a barber or beauty shop which would require one space for each seventy-five square feet of gross floor area or two spaces per chair, whichever is less.

The applicant has indicated that the suite where the tattoo business will be located is approximately 400 sq. ft. and that there are 4 parking stalls available for this business. With having only one chair the four spaces comply with the off-street parking requirements.

**RECOMMENDATION:**

**Staff recommends that the Planning Commission adopt the following, or similar, Factual Subfindings and Legal Findings for Use Permit 2015-277:**

**Factual Subfinding #1**

That portion of the existing building proposed for use as a tattoo business was previously occupied by a tattoo parlor known as Sweet Seduction Tattoo pursuant to the issuance of Use Permit 2009-258. The only change in this application is that the applicant will offer piercing services and have a limited number of clothes for sale both of which are permitted uses at this site.

**Legal Finding #1**

The granting of Use Permit 2015-277 is a negligible expansion of a previous commercial use of an existing building established at this site and therefore exempt from CEQA pursuant to Section 15301, Class 1.

**Factual Subfinding #2**

The existing suite has approximately 400 sq. ft. of area and 4 off-street parking stalls to be used by the tattoo business.

**Legal Finding #2**

The building, and parcel proposed for use by Catalina Ortiz as a tattoo parlor that will also offer piercing services and clothes for sale is adequate in size, shape and topography for the establishment of these commercial businesses.

**Factual Subfinding #3**

The parcel has frontage and direct access to Solano Street.

**Legal Finding #3**

The site has existing access to Solano St. that is constructed with adequate width, pavement and capacity for the proposed use.

**Factual Subfinding #4**

The establishment of a tattoo business will be located in an existing building that was constructed for, and has been used as a tattoo parlor and other commercial uses. The parcel is currently zoned for commercial use.

**Legal Finding #4**

The establishment of a tattoo business at this site will not have an adverse effect upon the use, enjoyment or valuation of adjacent or neighboring properties or upon the public welfare.

**ACTION**

- 1. MOVE TO ADOPT THE 4 FACTUAL SUBFINDINGS AND LEGAL FINDINGS AS PRESENTED IN THE STAFF REPORT AND APPROVE USE PERMIT 2015-277 SUBJECT TO THE THREE (3) CONDITIONS AS RECOMMENDED BY STAFF**  
**(PLEASE NOTE : PRIOR TO ADOPTING THE RECOMMENDED FACTUAL SUBFINDINGS & LEGAL FINDINGS AND APPLYING THE THREE CONDITIONS OF APPROVAL THE COMMISSION HAS THE ABILITY TO MODIFY OR REMOVE ANY OF THE FACTUAL SUBFINDINGS, LEGAL FINDINGS, AND CONDITIONS OF APPROVAL IF DEEMED APPROPRIATE BY A MAJORITY OF THE COMMISSION)**

**OR:**

**Failing to make findings in support of the project recommend findings in denial of the project for consideration by the Commission.**

**Adopt findings in denial of the project and deny Use Permit 2015-277.**

**STAFF RECOMMENDS THE FOLLOWING  
CONDITIONS OF APPROVAL  
FOR USE PERMIT 2015-277**

**Condition #1**

The applicant must comply with the requirements of the City of Corning, especially the Building and Fire Departments and obtain a Certificate of occupancy prior to establishing the tattoo parlor at this location.

**Condition #2**

Comply with the permitting requirements of the Tehama County Environmental Health Department.

**Condition #3**

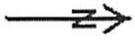
The tattoo business must comply with the City of Corning Sign Regulations

**ATTACHMENTS**

Exhibit "A"	VICINITY MAP
Exhibit "B"	GENERAL PLAN LAND USE MAP
Exhibit "C"	ZONING MAP
Exhibit "D"	APPLICATION

Hwy 99W

Edith Avenue



Solano Street

SITE



Toomes Avenue

Toomes Avenue

BUTTE STREET

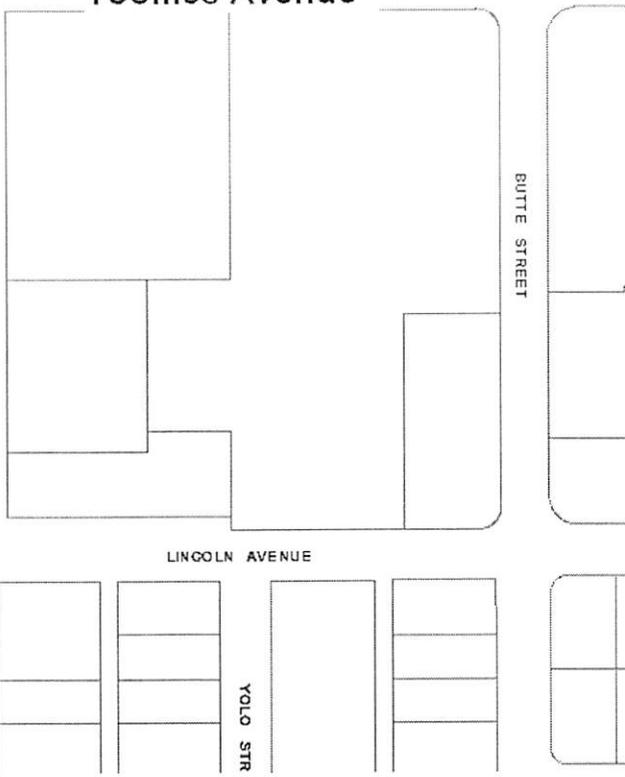
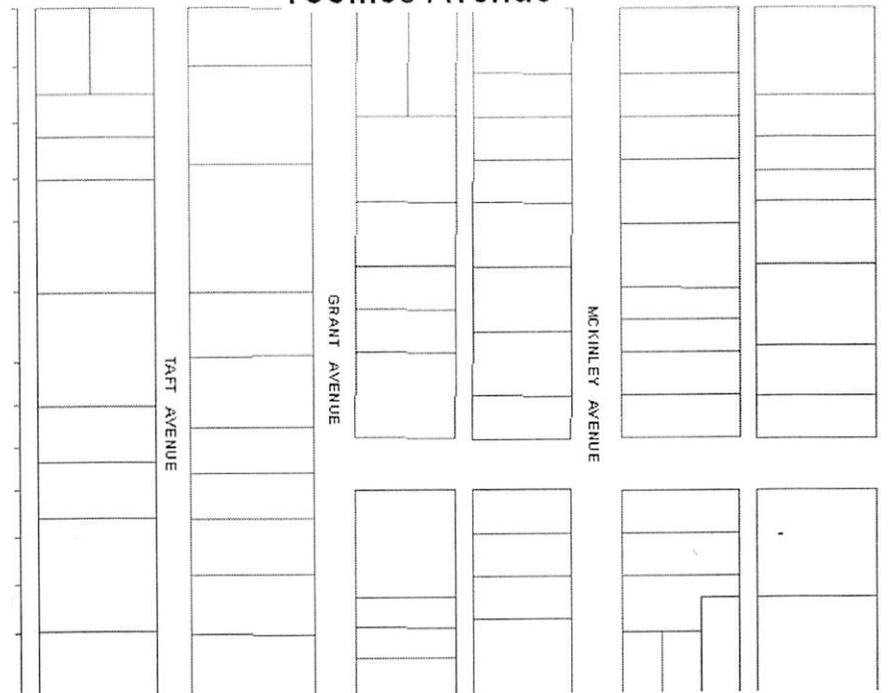
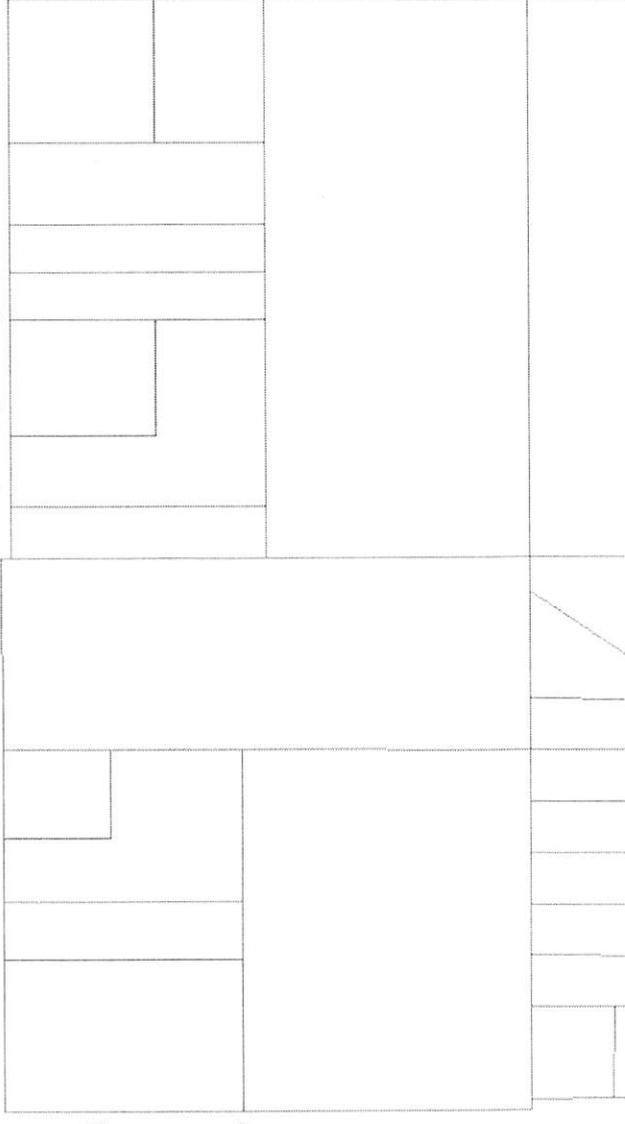
Taft Avenue

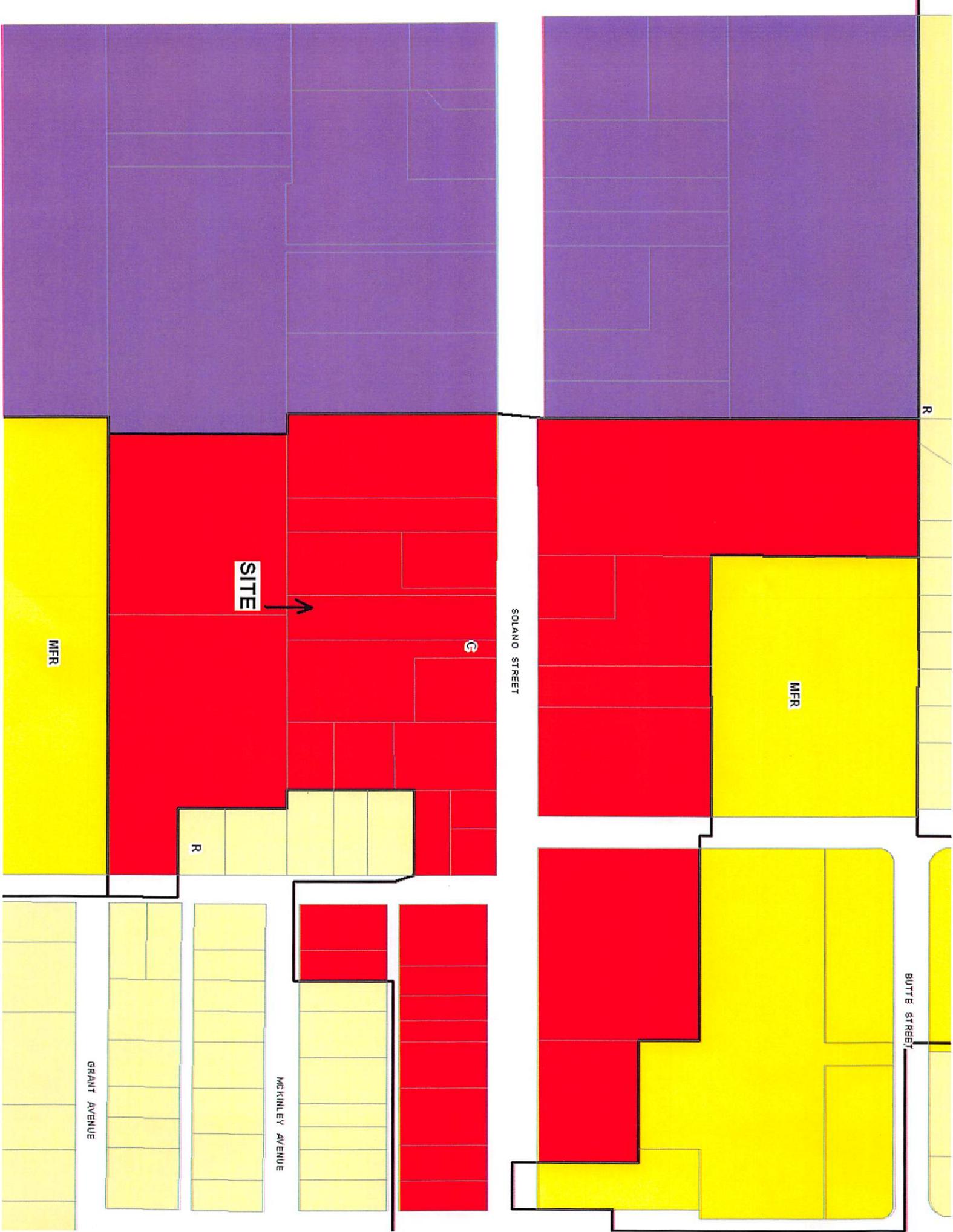
Grant Avenue

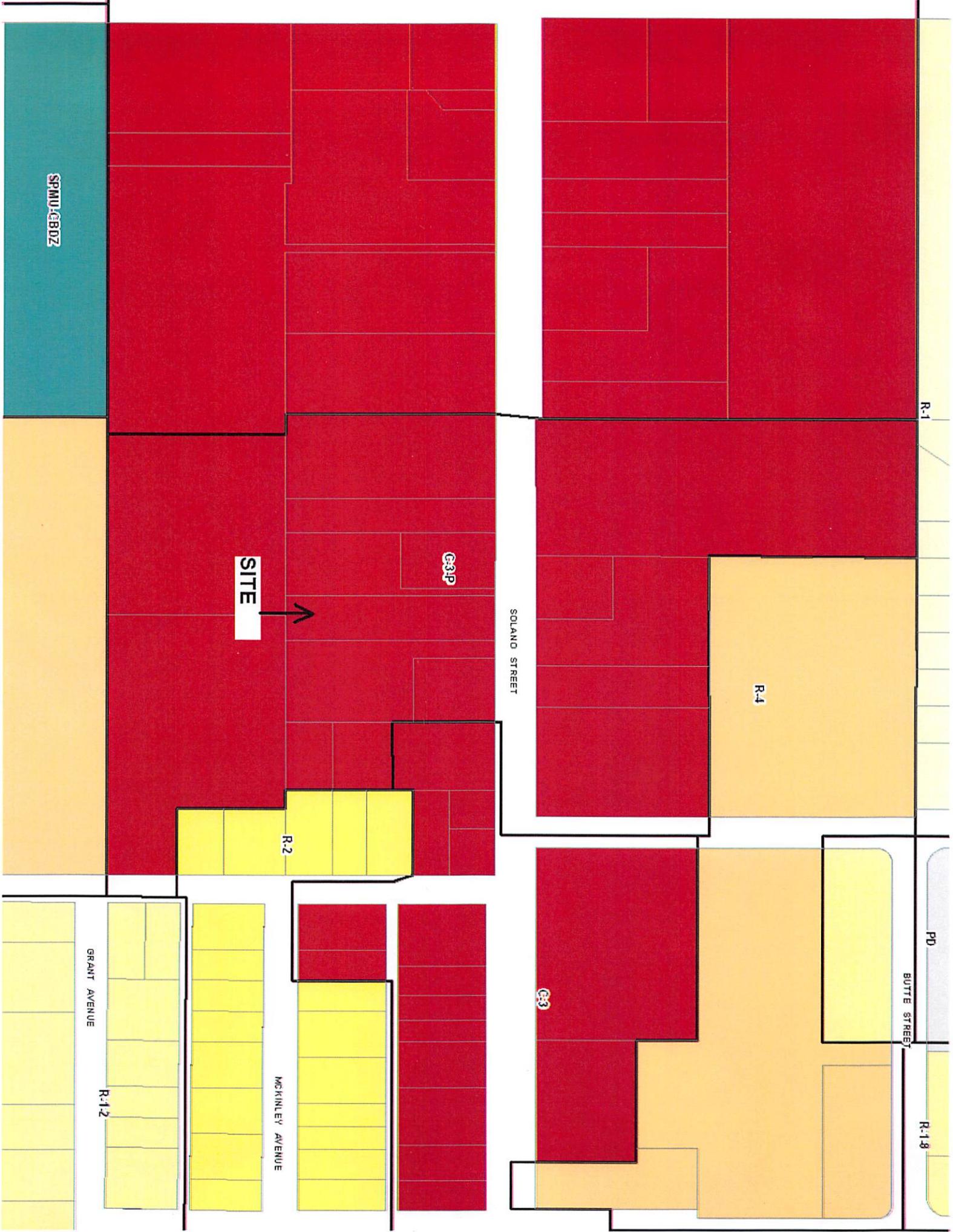
McKinley Avenue

Lincoln Avenue

YOLO STR







SPMU GBDZ

SITE



G-3P

SOLAND STREET

R-4

R-1

PD

BUTTE STREET

R-12

GRANT AVENUE

R-12

MCKINLEY AVENUE

G-3

**PLANNING APPLICATION**  
TYPE OR PRINT CLEARLY

City of Corning  
Planning Dept.  
794 Third Street  
Corning, CA 96021

PROJECT INFORMATION	PROJECT ADDRESS 2069 Salano	ASSESSOR'S PARCEL NUMBER 71-140-07	G.P. LAND USE DESIGNATION Commercial	
	ZONING DISTRICT C-3P	FLOOD HAZARD ZONE N/A	SITE ACREAGE N/A	
	PROJECT DESCRIPTION: (attach additional sheets if necessary) tattoo parlor/piercing and clothing			
	APPLICATION TYPE (Check All Applicable)			
<input type="checkbox"/> Annexation/Detachment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Merge Lots <input type="checkbox"/> Planned Dev. Use Permit <input type="checkbox"/> Parcel Map <input type="checkbox"/> Preliminary Plan Review <input type="checkbox"/> Rezone <input type="checkbox"/> Street Abandonment <input type="checkbox"/> Subdivision <input type="checkbox"/> Time Extension <input checked="" type="checkbox"/> Use Permit				
APPLICANT INFORMATION	APPLICANT Catalina Ortiz	ADDRESS Orland, CA 216 Robbins St 95963	DAY PHONE 530-592-6309	
	REPRESENTATIVE (IF ANY)	ADDRESS	DAY PHONE	
	PROPERTY OWNER Jerry & Bev Martini	ADDRESS PO Box 863 Corning 96021	DAY PHONE 824-44809	
	CORRESPONDENCE TO BE SENT TO <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> REPRESENTATIVE <input type="checkbox"/> PROP. OWNER			
	APPLICANT/REPRESENTATIVE: I have reviewed this application and the attached material. The information provided is correct. Signed:		PROPERTY OWNER: I have read this application and consent to its filing. Signed:	
	By signing this application, the applicant/property owner agrees to defend, indemnify, and hold the City of Corning harmless from any claim, action, or proceeding brought to attack, set aside, void or annul the City's approval of this application, and any Environmental Review associated with the proposed project.			

RECEIVED  
AUG 24 2015  
CITY OF CORNING

SUBMITTAL INFO	FOR OFFICE USE ONLY			
	APPLICATION NO. 2015-277	RECEIVED BY: JB	DATE RECEIVED 8/24/2015	DATE APPL. DEEMED COMPLETE
	FEEES RECEIVED/RECEIPT NO. Cash payment JB 8/24/15	CEQA DETERMINATION <input checked="" type="checkbox"/> Exempt ND MND EIR		DATE FILED



# CITY OF CORNING

## ENVIRONMENTAL INFORMATION FORM (To be completed by Applicant)

DATE FILED \_\_\_\_\_

### General Information

1. Project Title:

2. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

Permits from Tehama county  
environmental health dep.

### Additional Project Information

3. For non-residential projects, indicate total proposed building floor area: 450 <sup>wide</sup> sq. ft. in \_\_\_\_\_ floor(s).

4. Amount of off-street parking to be provided. 3 parking stalls. (Attach plans)

5. Proposed scheduling/development. Business will open  
when permit will issue

6. Associated project(s). N/A

7. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. (This information will help the City track compliance with the objectives of the Housing Element of the General Plan.)

N/A

**PLANNING APPLICATION**

8. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities.

N/A

9. If industrial, indicate type, estimated employment per shift, and loading facilities.

N/A

10. If institutional, indicate the primary function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.

N/A

11. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required.

N/A

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- |   | YES                      | NO                                  |
|---|--------------------------|-------------------------------------|
| 12. Change in existing topographic features, or substantial alteration of ground contours?                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 13. Change in scenic views or vistas from existing residential areas or public lands or roads?                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 14. Change in pattern, scale or character of general area of project?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 15. Significant amounts of solid waste or litter?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 16. Change in dust, ash, smoke, fumes or odors in vicinity?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 17. Change in lake, stream or ground water quality or quantity, or alteration of existing drainage patterns?          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 18. Substantial change in existing noise or vibration levels in the vicinity?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 19. Is the site on filled land or on slopes of 10 percent or more?  | <input type="checkbox"/> | <input type="checkbox"/>            |
| 20. Use, storage, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Substantial change in demand for municipal services (police, fire, water, sewage, etc.)?                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22. Substantially increase energy usage (electricity, oil, natural gas, etc.)?  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. Relationship to a larger project or series of projects?   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

# PLANNING APPLICATION

## Environmental setting

24. Describe the project site as it exists before the project, including information on topography, soil type and stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site, snapshots or Polaroid photos will be accepted.

Plan on using one of the suites  
in a commercial building int~~er~~ of  
the 3 suites

25. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

Commercial usage along Saleno  
Street.

### Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date \_\_\_\_\_ Signature \_\_\_\_\_

For: \_\_\_\_\_